

LOWENSTEIN SANDLER PC  
*Attorneys at Law*

SUSAN ERICKSEN  
*Counsel*

Tel 973.597.6140 Fax 973.597.6141  
[sericksen@lowenstein.com](mailto:sericksen@lowenstein.com)

October 4, 2005

**VIA ELECTRONIC MAIL  
AND U.S. FIRST CLASS MAIL**

To: All Defendants in a Preference Action and/or their Counsel

Re: NationsRent, Inc. et. al., Chapter 11  
Case Nos. 01-11628 through 01-11639(PJW)

Dear Sir or Madam:

On Tuesday, October 11, 2005 at 10:30 a.m. (Eastern Time) (the "Hearing"), a pretrial conference will be held in each of the preference actions commenced in the above captioned cases by Perry Mandarino, Trustee of the NationsRent, Inc. Unsecured Liquidating Trust (the "Trustee"). The Hearing will be held before the Honorable Kent A. Jordan at the United States District Court for the District of Delaware, 844 North King Street, Room 4209, Wilmington, Delaware 19801. If you received a copy of this letter, either you or your client is a defendant in a preference action.

Enclosed please find a Scheduling Order that sets forth proposed scheduling deadlines in each of the preference actions listed in the caption. The Trustee intends to submit the attached Scheduling Order for the Court's consideration at the Hearing. If you have any questions or comments regarding the Scheduling Order, please contact me no later than Friday, October 7, 2005 at 2:00 p.m. (Eastern Time).

Very truly yours,



Susan Erickson

SE:jmw

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Enclosure(s)

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CLERK U.S. DISTRICT COURT  
DISTRICT OF DELAWARE

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

In re:		
NationsRent, Inc., et al., <sup>1</sup>	Debtors.	Case Nos. 01-11628 through 01-11639 (PJW)
		Jointly Administered
		Chapter 11
NationsRent Unsecured Creditor's Liquidating Trust, Perry Mandarino, not personally, but as Trustee		
Plaintiff,		
v.	District Court Case Nos. (KAJ):	
Advanced Tire Inc.	04-CV-713	
Airdyne Management Inc.	04-CV-714	
ASAP Equipment Rental & Sales	04-CV-716	
ATP Div. 25	04-CV-717	
Beard Equipment Co.	04-CV-718	
Dawson Personnel	04-CV-719	
DCR Transport Service	04-CV-720	
Blue Ribbon Tire Co., Inc.	04-CV-721	
EJ Reynolds, Inc.	04-CV-722	
Carruth-Doggett Industries, Inc.	04-CV-723	
FL Hydraulic Machinery	04-CV-725	
CMD Group	04-CV-726	
Future Equipment	04-CV-727	
GCR Pensacola Truck Tire Ctr.	04-CV-730	
GMR Marketing LLC	04-CV-731	
Crosscheck, Inc.	04-CV-732	

<sup>1</sup> NationsRent USA, Inc., NationsRent Transportation Services, Inc., NR Delaware, Inc., NRG, Inc.,  
NationsRent West, Inc., Logan Equipment Corp., NR Dealer, Inc., NR Franchise Company, Inc.,  
NationsRent of Texas, LP, and NationsRent of Indiana, LP

Goodyear Commercial Tire & Service Center	04-CV-733
Cyrk, Inc. a/k/a Cyrk Acquisition	04-CV-734
Mutual Industries	04-CV-737
Nabors Radiator & Electric	04-CV-738
Harte-Hanks	04-CV-739
US Market Inc.	04-CV-740
Joe Money Machinery	04-CV-741
Office Management Systems Inc.	04-CV-742
Perth Amboy Tire Inc.	04-CV-743
Ingram Trucking LLC	04-CV-744
Pro-Cut Products Inc.	04-CV-746
Reeder Distributors Inc.	04-CV-749
Relizon	04-CV-750
Saber Fleet Services, Inc. d/b/a Weiland Tire Service	04-CV-753
Sherwin-Williams	04-CV-754
Scotty's Oil Company, Inc.	04-CV-755
Maxim Group	04-CV-757
Maxout Sourcing Services	04-CV-758
The Valvoline Company	04-CV-759
Morgan Marshall Industries Inc.	04-CV-763
A.O.K. Tire Mart II, Inc.	04-CV-766
Ael Leasing Co., Inc.	04-CV-767
GSR Construction, Inc.	04-CV-768
Gullo Ford Mercury	04-CV-769
Hick's Petroleum Distributors, Inc.	04-CV-770
Holt Equipment Company Co., LLC	04-CV-772
Ajaco Towing	04-CV-773
John Ray and Sons Inc.	04-CV-774

Orlando Industrial Contractors	04-CV-776
Original Equipment Replacement Parts, Inc.	04-CV-777
Johnson Ford Truck	04-CV-779
Parkway Truck Sales, Inc.	04-CV-781
M.P. Brine Inc.	04-CV-783
Authorized Equipment, Inc.	04-CV-784
Neff Rental Inc.	04-CV-785
Pratt & Whitney Canada, Inc.	04-CV-786
Diamond J. Transport, Inc.	04-CV-787
Equiptechs, Inc.	04-CV-789
Promotion Solution Inc.	04-CV-790
Progressive Tractor Corp.	04-CV-791
Olsen Tire	04-CV-792
Contractors Machinery Co. Inc.	04-CV-795
Southeastern Crane	04-CV-799
BBF, Ltd	04-CV-800
C.G.& E.	04-CV-802
Vic's Tire Service	04-CV-804
Texana Machinery Corp.	04-CV-805
Commercial Tire Inc.	04-CV-806
Tacony Corporation	04-CV-808
ADA Resources Inc.	04-CV-976
Texas Pneumatic Tool	04-CV-979
American Hydraulics	04-CV-980
Allied Products	04-CV-983
TMP Worldwide Inc. also known as Monster Worldwide, Inc.	04-CV-986
Kent Demolition Tools	04-CV-987
Alternators Unlimited Reb.	04-CV-988

Land & Sea Petroleum, Inc.	04-CV-993
Central Tire	04-CV-995
Cintas Corp. #318, Cintas Corporation No. 2	04-CV-996
Little Beaver, Inc.	04-CV-997
Columbus McKinnon Corp.	04-CV-999
Corporate Express	04-CV-1001
Truck PM Corporation	04-CV-1002
Diamant Boart Inc.	04-CV-1004
Tsurumi (America) Inc.	04-CV-1005
Diamond Hydraulics	04-CV-1006
Harbor Graphics Corporation	04-CV-1007
The Miller Spreader Co.	04-CV-1008
Uniontools, Inc.	04-CV-1009
Diamond Products	04-CV-1010
US Imaging Solutions	04-CV-1012
Hindley Electronics, Inc.	04-CV-1013
Mission Critical System, Inc.	04-CV-1014
Hunt & Sons	04-CV-1019
Creative Financial Staffing	04-CV-1021
C-Tech Industries	04-CV-1022
Empire Partner Inc.	04-CV-1023
Multiquip Inc.	04-CV-1025
Bobcat Company	04-CV-1026
Naab Consulting Corp.	04-CV-1027
Mobile Storage Group, Inc.	04-CV-1028
Robertson Fleet Service Inc.	04-CV-1029
4 Star Air Hydraulics & Ind.	04-CV-1030
Action Tire Company	04-CV-1031
Rhode Island Tire Co. Inc.	04-CV-1032

3-D/Costal Oil Company	04-CV-1033
Bradenton Fuel Oil, Inc.	04-CV-1037
Black & Veatch Constr.	04-CV-1039
NAPA Auto Parts, National Automotive Parts Association	04-CV-1041
Igloo Products Corp.	04-CV-1042
ID Technologies, Inc.	04-CV-1043
Nortrax Equipment Co. South LA	04-CV-1044
Nortrax Equipment Co. SE, LLC	04-CV-1045
Hart Industries Inc.	04-CV-1046
Partner Industrial Products	04-CV-1047
Gene Jackson Tire Co.	04-CV-1049
Star Tire Company Inc.	04-CV-1050
GFC Leasing	04-CV-1051
Sullivan Palatek Inc.	04-CV-1052
Rentlink Inc.	04-CV-1054
Palmer Distributing & Sales	04-CV-1055
Parts Associates	04-CV-1056
Bay Counties Pitcock Petroleum Inc.	04-CV-1060
Peterson Tire Inc.	04-CV-1061
Lockhart Tire	04-CV-1062
Nashville Tractor & Equip. Inc. formally known as Nashville Ford Tractor	04-CV-1063
Nortrax NE LLC	04-CV-1064
Hoffman	04-CV-1065
NSTAR Electric & Gas Corporation	04-CV-1066
NACM	04-CV-1067
Nationswide Rental	04-CV-1069
Illuminating Company	04-CV-1070

Vermeer of Tennessee, Inc.	04-CV-1071
Buckeye Tire & Service	04-CV-1072
Napa Auto Parts of Franklin	04-CV-1073
Industrial Hydraulics	04-CV-1075
Son Coast, Hauling, CCC	04-CV-1077
Vickers & Asso, Inc.	04-CV-1079
Jimmy's Garage	04-CV-1080
Viking Oil	04-CV-1081
Compass Bank	04-CV-1082
Southern Energy Company	04-CV-1084
Nickey Petroleum Co. Inc.	04-CV-1085
Voltech Company	04-CV-1087
OTR Tire & Supply Co.	04-CV-1088
Overland Machinery Co.	04-CV-1089
EMC Corp.	04-CV-1090
Lionudakis Wood & Green Waste	04-CV-1091
Penick, Parr & Associates	04-CV-1092
Southern Linc	04-CV-1093
Spectra Precision d/b/a Richard B. Trimble	04-CV-1094
Diversified Credit Service	04-CV-1096
Watkins Oil Co Inc.	04-CV-1097
Pipeline Supply & Service	04-CV-1098
Speedway New Holland	04-CV-1100
Stewart & Stevenson	04-CV-1101
Sterling Truck of Utah	04-CV-1102
World Wide Welding & Press Inc.	04-CV-1103
Roland J. Robert Dist. Inc.	04-CV-1104
Don's Tire Service, Inc.	04-CV-1106
Vermeer Sales and Service of Southern Ohio, Inc.	04-CV-1107

Pro Chem Cleaning	04-CV-1108
Sellers Petroleum Products Inc.	04-CV-1109
Sunbelt Rentals Inc.	04-CV-1110
Dorris Cleaning	04-CV-1111
Vermeer Sales & Service of Colorado, Inc.	04-CV-1112
Staffing Master.com	04-CV-1113
Douglass Distributing	04-CV-1114
Keson Industries Inc.	04-CV-1116
Dutchess Forging	04-CV-1117
Quick Corner CITGO	04-CV-1119
Tex Con Oil Company	04-CV-1120
JAM Distributing Company	04-CV-1123
Environmental Safety, et al.	04-CV-1124
Barloworld Handling LP	04-CV-1125
Equipment Development Co., Inc.	04-CV-1128
Tioga Inc.	04-CV-1129
Falcon Power	04-CV-1130
TIP Dept 0501	04-CV-1131
Tire Centers LLC	04-CV-1133
S&D Tire Inc.	04-CV-1134
Tullo Truck Stop	04-CV-1138
Sanford Auto & Truck Parts	04-CV-1140
Fischer Group	04-CV-1141
Construction Machinery, Inc.	04-CV-1142
Valley Rubber & Gasket	04-CV-1144
Collision Pro	04-CV-1149
Fleetwing Corp.	04-CV-1151
Double A	04-CV-1153

Fluid Tech Hydraulics, Inc.	04-CV-1154
Dossey Holdings, Inc.	04-CV-1155
Archie's Truck Service	04-CV-1158
Soco Group	04-CV-1159
Arrow Master, Inc.	04-CV-1160
CST Coorporation	04-CV-1161
J&B Auto Supply, Inc.	04-CV-1162
L&P Financial Services	04-CV-1165
Vermeer Equipment of Texas Inc.	04-CV-1166
Delta BCX Printing	04-CV-1167
Delta Formost Chemical Corporation	04-CV-1170
Services & Materials, Co.	04-CV-1171
M & D Distributors	04-CV-1172
SB Power Tool Corp.	04-CV-1174
Vermeer Northeast	04-CV-1175
Husqvarna Forest & Garden	04-CV-1176
Miller Bros Giant Tire Service- Jacksonville, Inc.	04-CV-1178
Wayne Miller's Mobile Tire Inc.	04-CV-1179
Miller Bros Tire	04-CV-1181
Interstate Battery	04-CV-1182
Stone Construction Equipment Inc.	04-CV-1183
Jeff Falkanger & Associates	04-CV-1184
Mobile Products, Inc.	04-CV-1186
Sun Coast Resources Inc.	04-CV-1188
Vermeer Sales of Texas Inc.	04-CV-1189
Morgan Auto Supply Co.	04-CV-1191
Morgan Guaranty Trust Company of New York	04-CV-1192

Napa Auto Parts	04-CV-1193
Valley Tire Co., Inc.	04-CV-1194
Triton Transport Inc	04-CV-1196
Vector Security Inc	04-CV-1197
Truck Lease Corp.	04-CV-1198
Defendants.	

**NOTICE OF AGENDA OF MATTERS SCHEDULED  
FOR HEARING ON OCTOBER 11, 2005 AT 10:00 A.M.**

**I. SCHEDULING CONFERENCE**

1. Scheduling conference regarding adversary proceedings commenced by Plaintiff Perry Mandarino, as Trustee (the "Trustee") of the Nationsrent Unsecured Creditor's Liquidating Trust.

*Related documents:*

a. Order: (I) Setting Procedures to Facilitate Settlement of the Above-Captioned Adversary Proceedings, and (II) Setting October 11, 2005 at 10:00 a.m. as a Status/Scheduling Conference Date in the Above-Captioned Adversary Proceedings [Docket Nos. Various; May 25, 2005]

b. Affidavit of Terry A. Kelly Regarding Order: (I) Setting Procedures to Facilitate Settlement of the Above-Captioned Adversary Proceedings, and (II) Setting October 11, 2005 at 10:00 a.m. as a Status/Scheduling Conference Date in the Above-Captioned Adversary Proceedings filed by Perry Mandarino [Docket Nos. Various; June 2, 2005]

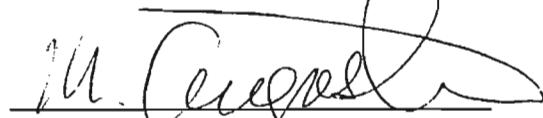
*Status:*

- (i) *Dismissed Defendants:* The adversary proceedings listed on Exhibit A attached hereto have been dismissed or will be dismissed in the near future.
- (ii) *Scheduling Conference Defendants:* A scheduling conference is going forward with respect to the adversary proceedings listed on Exhibit B attached hereto. The Trustee intends to submit for the Court's consideration the proposed scheduling order attached hereto as Exhibit C.

*General Status:* The scheduling conference is going forward.

Dated: October 4, 2005

THE BAYARD FIRM



Neil B. Glassman, Esq. (No. 2087)  
Ashley B. Stitzer, Esquire (No. 3891)  
Mary E. Augustine (No. 4477)  
222 Delaware Avenue, Suite 900  
Wilmington, Delaware 19801  
(302) 655-5000 (telephone)  
(302) 658-6395 (facsimile)

-and-

LOWENSTEIN SANDLER PC  
Paul Kizel, Esq.  
Susan Erickson, Esq.  
65 Livingston Avenue  
Roseland, New Jersey 07068  
(973) 597-2500 (telephone)  
(973) 597-2400 (facsimile)

Attorneys for Perry Mandarino, as Trustee of  
the Nationsrent Unsecured Creditor's  
Liquidating Trust

EXHIBIT A -DISMISSED DEFENDANTS

<u>DEFENDANT</u>	<u>CIVIL ACTION NO.</u>
Kirk	04-CV-712
Allen Engineering	04-CV-715
Equilon Enterprises	04-CV-724
Cowin Equipment	04-CV-728
Crane Works Inc.	04-CV-729
D 3 Equipment	04-CV-735
Mustang Tractor	04-CV-736
KForce.com Inc.	04-CV-745
PSR Professional	04-CV-747
Zenith Consulting	04-CV-748
Mackissic Inc.	04-CV-751
Supreme Oil Co.	04-CV-752
Taylor Petroleum	04-CV-756
Solideal Industrial	04-CV-760
TIFCO Industries Inc.	04-CV-761
Mayville Engineering	04-CV-762
Tractor & Equipment	04-CV-764
2W Intl Corp.	04-CV-765
AIS Construction	04-CV-771
Info USA Inc.	04-CV-775
Andrica Metals Corp.	04-CV-778
MD Moddy & Sons Inc.	04-CV-780
Material Handling Eq	04-CV-782
Avcard	04-CV-788
Reco Equipment Inc.	04-CV-793
Cummins Interstate	04-CV-794
Rish Equipment Comp.	04-CV-796
Road Machinery Co.	04-CV-797
Westway Heavy Transportation	04-CV-798
Allen Oil Company	04-CV-801
Circle City GMC	04-CV-803
Collier Tires & Auto	04-CV-807
Takeuchi Mfg. US Ltd.	04-CV-809
Redwood Oil Company	04-CV-810
Davidwood Personnel	04-CV-811
Terex Aerials, Inc.	04-CV-973
General Equipment	04-CV-974
A& H House	04-CV-975
Gil's Equipment	04-CV-977
Adirondack Tire Co.	04-CV-978
Joe Jeter Sales	04-CV-981
American Pneumatic	04-CV-982
Alabama Jack Company	04-CV-984

**EXHIBIT A -DISMISSED DEFENDANTS**

<u>DEFENDANT</u>	<u>CIVIL ACTION NO.</u>
The Gorman-Rupp Company	04-CV-985
Allmand	04-CV-989
Specialty Lighting	04-CV-990
Bil-Jax Scaffolding	04-CV-991
Brunner & Lay Inc.	04-CV-992
Anderson	04-CV-994
Columbus Equipment	04-CV-998
Maxim Manufacturing	04-CV-1000
CT Communications, et al.	04-CV-1003
Metso Minerals, et al.	04-CV-1011
Eagle Manufacturing	04-CV-1015
Vermeer Manufacturing	04-CV-1016
Electric Eel Mfg.	04-CV-1017
Mi-T-M Corporation	04-CV-1018
Safe Waze	04-CV-1020
NACM Ohio	04-CV-1024
Berry-Hinckley	04-CV-1034
Aggovino & Asselta	04-CV-1035
American Sling Co.	04-CV-1036
Anderson Equipment	04-CV-1038
Brandeis Machinery	04-CV-1040
Gator Ford Trucks	04-CV-1048
RDO Equipment Company	04-CV-1053
CJ Lee Properties	04-CV-1057
Cognos	04-CV-1058
Bayou City Waste	04-CV-1059
Briggs Equipment	04-CV-1068
Pacific Century LSG	04-CV-1074
Burch-Lowe Inc.	04-CV-1076
J&B Tire Sales	04-CV-1078
Crawler Supply Co.	04-CV-1083
Laclede Chain Mfg. Co.	04-CV-1086
G&S Industrial Inc.	04-CV-1095
World Fuel Services	04-CV-1099
Ronald J. Robert	04-CV-1104
Sullair Corporation	04-CV-1105
Telecheck	04-CV-1115
Kraft Tool Co.	04-CV-1118
Ed Perry Tire Company	04-CV-1121
Employee Management	04-CV-1122
Englefield Oil Company	04-CV-1126
Ericom Software Inc.	04-CV-1127
Fallon Community	04-CV-1132

**EXHIBIT A -DISMISSED DEFENDANTS**

DEFENDANT	CIVIL ACTION NO.
Colorado Fastners	04-CV-1135
Colorado Machinery	04-CV-1136
Unifirst Corp.	04-CV-1139
Ferrell Gas	04-CV-1143
Construction Tire	04-CV-1145
Cogg's Tire Service	04-CV-1146
Corporate Safe	04-CV-1147
Coleman Engineering	04-CV-1148
Doskocil Industries	04-CV-1150
Smith Brothers	04-CV-1152
Fort Worth Gear	04-CV-1156
Duhon Machinery Co.	04-CV-1157
Dayton-Evans Motor	04-CV-1163
Witch Equipment Co.	04-CV-1164
Worcester Truck Body	04-CV-1168
Sensormatic Corp.	04-CV-1169
Ditch Witch	04-CV-1173
Spencer Technologies	04-CV-1177
Stihl Inc National	04-CV-1180
Wendel	04-CV-1185
Jek Supply Co. Inc.	04-CV-1187
Star Industries Comp	04-CV-1190
Wagman Metal Product	04-CV-1195

**EXHIBIT B - SCHEDULING CONFERENCE DEFENDANTS**

<u>DEFENDANT</u>	<u>CIVIL ACTION NO.</u>
Advanced Tire Inc.	04-CV-713
Airdyne Management	04-CV-714
ASAP Equipment	04-CV-716
ATP Div 25	04-CV-717
Beard Equipment	04-CV-718
Dawson Personnel	04-CV-719
DCR Transport Service	04-CV-720
Blue Ribbon Tire Co.	04-CV-721
Reynolds Inc.	04-CV-722
Carruth-Doggett	04-CV-723
FL-Hydraulic	04-CV-725
CMD Group	04-CV-726
Future Equipment	04-CV-727
GCR Pensacola Truck	04-CV-730
GMR Marketing LLC	04-CV-731
Crosscheck Inc.	04-CV-732
Goodyear Commercial	04-CV-733
Cyrk Inc.	04-CV-734
Mutual Industries	04-CV-737
Nabors Radiator	04-CV-738
Harte-Hanks	04-CV-739
US Market Inc.	04-CV-740
Joe Money Machinery	04-CV-741
Office Management	04-CV-742
Perth Amboy Tire Inc.	04-CV-743
Ingram Trucking LLC	04-CV-744
Pro-Cut Products Inc.	04-CV-746
Reeder Distributors	04-CV-749
Relizon	04-CV-750
Saber Fleet Services	04-CV-753
Sherwin-Williams	04-CV-754
Scottys Oil Company	04-CV-755
Maxim Group	04-CV-757
Maxout Sourcing	04-CV-758
The Valvoline Company	04-CV-759
Morgan Marshall	04-CV-763
A.O.K. Tire Mart II	04-CV-766
AEL Leasing Co., Inc., et al.	04-CV-767
GSR Construction Inc.	04-CV-768
Gullo Ford Mercury	04-CV-769
Hick's Petroleum	04-CV-770
Holt Equipment	04-CV-772
Ajaco Towing	04-CV-773

**EXHIBIT B -SCHEDULING CONFERENCE DEFENDANTS**

<u>DEFENDANT</u>	<u>CIVIL ACTION NO.</u>
Ray and Sons Inc.	04-CV-774
Orlando Industrial	04-CV-776
Original Equipment	04-CV-777
Johnson Ford Truck	04-CV-779
Parkway Truck Sales	04-CV-781
MP Brine Inc.	04-CV-783
Authorized Equipment	04-CV-784
Neff Rental Inc.	04-CV-785
Pratt & Whitney	04-CV-786
Diamond J. Transport	04-CV-787
Equiptechs Inc.	04-CV-789
Promotion Solution	04-CV-790
Progressive Tractor	04-CV-791
Olson	04-CV-792
Contractors Co.	04-CV-795
Southeastern Crane	04-CV-799
BBF Ltd.	04-CV-800
C.G.&E.	04-CV-802
Vic's Tire Service	04-CV-804
Texana Machinery	04-CV-805
Commercial Tire Inc.	04-CV-806
Tacony Corporation	04-CV-808
ADA Resources Inc.	04-CV-976
Texas Pneumatic Tool	04-CV-979
American Hydraulics	04-CV-980
Allied Products	04-CV-983
TMP Worldwide Inc.	04-CV-986
Kent Demolition	04-CV-987
Alternators Unlimited	04-CV-988
Land & Sea Petroleum	04-CV-993
Central Tire	04-CV-995
Cintas Corp. #318, et al.	04-CV-996
Little Beaver Inc.	04-CV-997
Columbus McKinnon	04-CV-999
Corporate Express	04-CV-1001
Truck PM Corporation	04-CV-1002
Diamant Boart Inc.	04-CV-1004
Tsunami (America)	04-CV-1005
Diamond Hydraulics	04-CV-1006
Harbor Graphics Corp.	04-CV-1007
Miller Spreader Co.	04-CV-1008
Uniontools Inc.	04-CV-1009
Diamand Products	04-CV-1010

**EXHIBIT B - SCHEDULING CONFERENCE DEFENDANTS**

DEFENDANT	CIVIL ACTION NO.
US Imaging Solutions	04-CV-1012
Hindley Electronics	04-CV-1013
Mission Critical	04-CV-1014
Hunt & Sons	04-CV-1019
Creative Financial	04-CV-1021
C-Tech Industries	04-CV-1022
Empire Partner Inc.	04-CV-1023
Multiquip Inc.	04-CV-1025
Bobcat Company	04-CV-1026
Naab Consulting Corp.	04-CV-1027
Mobile Storage	04-CV-1028
Robertson Fleet	04-CV-1029
4 Star Air Hydraulic	04-CV-1030
Action Tire Company	04-CV-1031
Rhode Island Tire Co	04-CV-1032
3-D/Coastal Oil	04-CV-1033
Bradenton Fuel Oil	04-CV-1037
Black & Veatch	04-CV-1039
Napa Auto Parts, et al.	04-CV-1041
Igloo Products Corp.	04-CV-1042
ID Technologies Inc.	04-CV-1043
Nortax Equipment Co.	04-CV-1044
Nortax Equipment SE	04-CV-1045
Hart Industries Inc.	04-CV-1046
Partner Industrial	04-CV-1047
Gene Jackson Tire Co	04-CV-1049
Star Tire Company	04-CV-1050
GFC Leasing	04-CV-1051
Sullivan Palatek Inc.	04-CV-1052
Rentlink Inc.	04-CV-1054
Palmer Distributing	04-CV-1055
Parts Associates	04-CV-1056
Bay Counties Pitcock	04-CV-1060
Peterson Tire Inc.	04-CV-1061
Lockhart Tire	04-CV-1062
Nashville Tractor	04-CV-1063
Nortrax NE LLC	04-CV-1064
Hoffman	04-CV-1065
NSTAR Electric	04-CV-1066
NACM	04-CV-1067
Nationswide Rental	04-CV-1069
Illuminating Company	04-CV-1070
Vermeer of Tennessee	04-CV-1071

**EXHIBIT B –SCHEDULING CONFERENCE DEFENDANTS**

<u>DEFENDANT</u>	<u>CIVIL ACTION NO.</u>
Buckeye Tire & Service	04-CV-1072
Napa Auto Franklin	04-CV-1073
Industrial Hydraulic	04-CV-1075
Son Coast Hauling	04-CV-1077
Vickers & Asso Inc.	04-CV-1079
Jimmy's Garage	04-CV-1080
Viking Oil	04-CV-1081
Compass Bank	04-CV-1082
Southern Energy Comp	04-CV-1084
Nickey Petroleum Co.	04-CV-1085
Voltech Company	04-CV-1087
OTR Tire & Supply Co.	04-CV-1088
Overland Machinery	04-CV-1089
EMC Corp.	04-CV-1090
Lionudakis Woods	04-CV-1091
Penick Parr & Assoc.	04-CV-1092
Southern Linc	04-CV-1093
Spectra Precision	04-CV-1094
Diversified Credit	04-CV-1096
Watkins Oil Co Inc.	04-CV-1097
Pipeline Supply	04-CV-1098
Speedway New Holland	04-CV-1100
Stewart & Stevenson	04-CV-1101
Sterling Truck Utah	04-CV-1102
World Wide Welding	04-CV-1103
Don's Tire Service	04-CV-1106
Vermeer Sales	04-CV-1107
Pro Chem Cleaning	04-CV-1108
Sellers Petroleum	04-CV-1109
Sunbelt Rentals Inc.	04-CV-1110
Dorris Cleaning	04-CV-1111
Vermeer Sales & Service	04-CV-1112
Staffing Master.com	04-CV-1113
Douglass Distribution	04-CV-1114
Deson Industries Inc.	04-CV-1116
Dutchess Forgoing	04-CV-1117
Quick Corner CITGO	04-CV-1119
Tex Con Oil Company	04-CV-1120
J A M Distributing	04-CV-1123
Environmental Safety, et al.	04-CV-1124
Barloworld Handling LLP	04-CV-1125
Equipment Development	04-CV-1128
Tioga Inc.	04-CV-1129

GMR Marketing LLC	04-CV-731
Crosscheck, Inc.	04-CV-732
Goodyear Commercial Tire & Service Center	04-CV-733
Cyrk, Inc. a/k/a Cyrk Acquisition	04-CV-734
Mutual Industries	04-CV-737
Nabors Radiator & Electric	04-CV-738
Harte-Hanks	04-CV-739
US Market Inc.	04-CV-740
Joe Money Machinery	04-CV-741
Office Management Systems Inc.	04-CV-742
Perth Amboy Tire Inc.	04-CV-743
Ingram Trucking LLC	04-CV-744
Pro-Cut Products Inc.	04-CV-746
Reeder Distributors Inc.	04-CV-749
Relizon	04-CV-750
Saber Fleet Services, Inc. d/b/a Weiland Tire Service	04-CV-753
Sherwin-Williams	04-CV-754
Scotty's Oil Company, Inc.	04-CV-755
Maxim Group	04-CV-757
Maxout Sourcing Services	04-CV-758
The Valvoline Company	04-CV-759
Morgan Marshall Industries Inc.	04-CV-763
A.O.K. Tire Mart II, Inc.	04-CV-766
Ael Leasing Co., Inc.	04-CV-767
GSR Construction, Inc.	04-CV-768
Gullo Ford Mercury	04-CV-769
Hick's Petroleum Distributors, Inc.	04-CV-770

Holt Equipment Company Co., LLC	04-CV-772
Ajaco Towing	04-CV-773
John Ray and Sons Inc.	04-CV-774
Orlando Industrial Contractors	04-CV-776
Original Equipment Replacement Parts, Inc.	04-CV-777
Johnson Ford Truck	04-CV-779
Parkway Truck Sales, Inc.	04-CV-781
M.P. Brine Inc.	04-CV-783
Authorized Equipment, Inc.	04-CV-784
Neff Rental Inc.	04-CV-785
Pratt & Whitney Canada, Inc.	04-CV-786
Diamond J. Transport, Inc.	04-CV-787
Equiptechs, Inc.	04-CV-789
Promotion Solution Inc.	04-CV-790
Progressive Tractor Corp.	04-CV-791
Olsen Tire	04-CV-792
Contractors Machinery Co. Inc.	04-CV-795
Southeastern Crane	04-CV-799
BBF, Ltd	04-CV-800
C.G.& E.	04-CV-802
Vic's Tire Service	04-CV-804
Texana Machinery Corp.	04-CV-805
Commercial Tire Inc.	04-CV-806
Tacony Corporation	04-CV-808
ADA Resources Inc.	04-CV-976
Texas Pneumatic Tool	04-CV-979
American Hydraulics	04-CV-980
Allied Products	04-CV-983

TMP Worldwide Inc. also known as Monster Worldwide, Inc.	04-CV-986
Kent Demolition Tools	04-CV-987
Alternators Unlimited Reb.	04-CV-988
Land & Sea Petroleum, Inc.	04-CV-993
Central Tire	04-CV-995
Cintas Corp. #318, Cintas Corporation No. 2	04-CV-996
Little Beaver, Inc.	04-CV-997
Columbus McKinnon Corp.	04-CV-999
Corporate Express	04-CV-1001
Truck PM Corporation	04-CV-1002
Diamant Boart Inc.	04-CV-1004
Tsurumi (America) Inc.	04-CV-1005
Diamond Hydraulics	04-CV-1006
Harbor Graphics Corporation	04-CV-1007
The Miller Spreader Co.	04-CV-1008
Uniontools, Inc.	04-CV-1009
Diamond Products	04-CV-1010
US Imaging Solutions	04-CV-1012
Hindley Electronics, Inc.	04-CV-1013
Mission Critical System, Inc.	04-CV-1014
Hunt & Sons	04-CV-1019
Creative Financial Staffing	04-CV-1021
C-Tech Industries	04-CV-1022
Empire Partner Inc.	04-CV-1023
Multiquip Inc.	04-CV-1025
Bobcat Company	04-CV-1026
Naab Consulting Corp.	04-CV-1027

Mobile Storage Group, Inc.	04-CV-1028
Robertson Fleet Service Inc.	04-CV-1029
4 Star Air Hydraulics & Ind.	04-CV-1030
Action Tire Company	04-CV-1031
Rhode Island Tire Co. Inc.	04-CV-1032
3-D/Costal Oil Company	04-CV-1033
Bradenton Fuel Oil, Inc.	04-CV-1037
Black & Veatch Constr.	04-CV-1039
NAPA Auto Parts, National Automotive Parts Association	04-CV-1041
Igloo Products Corp.	04-CV-1042
ID Technologies, Inc.	04-CV-1043
Nortrax Equipment Co. South LA	04-CV-1044
Nortrax Equipment Co. SE, LLC	04-CV-1045
Hart Industries Inc.	04-CV-1046
Partner Industrial Products	04-CV-1047
Gene Jackson Tire Co.	04-CV-1049
Star Tire Company Inc.	04-CV-1050
GFC Leasing	04-CV-1051
Sullivan Palatek Inc.	04-CV-1052
Rentlink Inc.	04-CV-1054
Palmer Distributing & Sales	04-CV-1055
Parts Associates	04-CV-1056
Bay Counties Pitcock Petroleum Inc.	04-CV-1060
Peterson Tire Inc.	04-CV-1061
Lockhart Tire	04-CV-1062
Nashville Tractor & Equip. Inc. formally known as Nashville Ford Tractor	04-CV-1063
Nortrax NE LLC	04-CV-1064

Hoffman	04-CV-1065
NSTAR Electric & Gas Corporation	04-CV-1066
NACM	04-CV-1067
Nationswide Rental	04-CV-1069
Illuminating Company	04-CV-1070
Vermeer of Tennessee, Inc.	04-CV-1071
Buckeye Tire & Service	04-CV-1072
Napa Auto Parts of Franklin	04-CV-1073
Industrial Hydraulics	04-CV-1075
Son Coast, Hauling, CCC	04-CV-1077
Vickers & Asso, Inc.	04-CV-1079
Jimmy's Garage	04-CV-1080
Viking Oil	04-CV-1081
Compass Bank	04-CV-1082
Southern Energy Company	04-CV-1084
Nickey Petroleum Co. Inc.	04-CV-1085
Voltech Company	04-CV-1087
OTR Tire & Supply Co.	04-CV-1088
Overland Machinery Co.	04-CV-1089
EMC Corp.	04-CV-1090
Lionudakis Wood & Green Waste	04-CV-1091
Penick, Parr & Associates	04-CV-1092
Southern Linc	04-CV-1093
Spectra Precision d/b/a Richard B. Trimble	04-CV-1094
Diversified Credit Service	04-CV-1096
Watkins Oil Co Inc.	04-CV-1097
Pipeline Supply & Service	04-CV-1098
Speedway New Holland	04-CV-1100

Stewart & Stevenson	04-CV-1101
Sterling Truck of Utah	04-CV-1102
World Wide Welding & Press Inc.	04-CV-1103
Roland J. Robert Dist. Inc.	04-CV-1104
Don's Tire Service, Inc.	04-CV-1106
Vermeer Sales and Service of Southern Ohio, Inc.	04-CV-1107
Pro Chem Cleaning	04-CV-1108
Sellers Petroleum Products Inc.	04-CV-1109
Sunbelt Rentals Inc.	04-CV-1110
Dorris Cleaning	04-CV-1111
Vermeer Sales & Service of Colorado, Inc.	04-CV-1112
Staffing Master.com	04-CV-1113
Douglass Distributing	04-CV-1114
Keson Industries Inc.	04-CV-1116
Dutchess Forging	04-CV-1117
Quick Corner CITGO	04-CV-1119
Tex Con Oil Company	04-CV-1120
JAM Distributing Company	04-CV-1123
Environmental Safety, et al.	04-CV-1124
Barloworld Handling LP	04-CV-1125
Equipment Development Co., Inc.	04-CV-1128
Tioga Inc.	04-CV-1129
Falcon Power	04-CV-1130
TIP Dept 0501	04-CV-1131
Tire Centers LLC	04-CV-1133
S&D Tire Inc.	04-CV-1134
Tullo Truck Stop	04-CV-1138

Sanford Auto & Truck Parts	04-CV-1140
Fischer Group	04-CV-1141
Construction Machinery, Inc.	04-CV-1142
Valley Rubber & Gasket	04-CV-1144
Collision Pro	04-CV-1149
Fleetwing Corp.	04-CV-1151
Double A	04-CV-1153
Fluid Tech Hydraulics, Inc.	04-CV-1154
Dossey Holdings, Inc.	04-CV-1155
Archie's Truck Service	04-CV-1158
Soco Group	04-CV-1159
Arrow Master, Inc.	04-CV-1160
CST Corporation	04-CV-1161
J&B Auto Supply, Inc.	04-CV-1162
L&P Financial Services	04-CV-1165
Vermeer Equipment of Texas Inc.	04-CV-1166
Delta BCX Printing	04-CV-1167
Delta Formost Chemical Corporation	04-CV-1170
Services & Materials, Co.	04-CV-1171
M & D Distributors	04-CV-1172
SB Power Tool Corp.	04-CV-1174
Vermeer Northeast	04-CV-1175
Husqvarna Forest & Garden	04-CV-1176
Miller Bros Giant Tire Service- Jacksonville, Inc.	04-CV-1178
Wayne Miller's Mobile Tire Inc.	04-CV-1179
Miller Bros Tire	04-CV-1181
Interstate Battery	04-CV-1182

Mobile Products, Inc.	04-CV-1186
Sun Coast Resources Inc.	04-CV-1188
Vermeer Sales of Texas Inc.	04-CV-1189
Morgan Auto Supply Co.	04-CV-1191
Morgan Guaranty Trust Company of New York	04-CV-1192
Napa Auto Parts	04-CV-1193
Valley Tire Co., Inc.	04-CV-1194
Triton Transport Inc	04-CV-1196
Vector Security Inc	04-CV-1197
Truck Lease Corp.	04-CV-1198
Defendants.	

### SCHEDULING ORDER

This \_\_\_\_ day of October 2005, the Court having conducted an initial Rule 16 scheduling and planning conference pursuant to Local Rule 16.2(a), and the parties having determined after discussion that the matters cannot be resolved at this juncture by settlement, voluntary mediation, or binding arbitration;

IT IS ORDERED that:

1. Rule 26(a)(1) Initial Disclosures. Unless otherwise agreed to by the parties, the parties shall make their initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1) within fourteen days of the date of this Order.

2. Joinder of other Parties and Amendment of Pleadings. All motions to join other parties, and to amend or supplement the pleadings shall be filed on or before December 16, 2005.

3. Discovery.

a. Limitation on Hours for Deposition Discovery. Each side is limited to a total of 24 hours of taking testimony by deposition of fact witnesses upon oral examination.

b. Location of Depositions. Any party or representative (officer, director, or managing agent) of a party filing a civil action in this district court must ordinarily be required, upon request, to submit to a deposition at a place designated within this district. Exceptions to this general rule may be made by order of the Court. A defendant who becomes a counterclaimant, cross-claimant, or third-party plaintiff shall be considered as having filed an action in this Court for the purpose of this provision.

c. Fact Discovery Cut Off. All fact discovery in these cases shall be initiated so that it will be completed on or before March 17, 2006. The Court encourages the parties to serve and respond to contention interrogatories early in the case. Unless otherwise ordered by the Court, the limitations on discovery set forth in Local Rule 26.1 shall be strictly observed.

d. Disclosure of Expert Testimony. Unless otherwise agreed to by the parties, they shall file their initial Federal Rule of Civil Procedure 26(a)(2) disclosures of expert testimony on or before March 31, 2006; and they shall file a supplemental disclosure to contradict or rebut evidence on the same subject matter identified by another party on or before April 28, 2006. To the extent any objection to expert testimony is made pursuant to the principles announced in Daubert v. Merrell Dow Pharm., Inc., 509 U.S. 579 (1993), it shall be made by motion no later than the deadline for dispositive motions set forth herein, unless

otherwise ordered by the Court. All expert discovery shall be initiated so that it will be completed on or before June 1, 2006.

e. Discovery Disputes. Should counsel find they are unable to resolve a discovery dispute, the party seeking the relief shall contact chambers at (302) 573-6001 to schedule a telephone conference. Not less than forty-eight hours prior to the conference, the party seeking relief shall file with the Court a letter, not to exceed three pages, outlining the issues in dispute and its position on those issues. (The Court does not seek extensive argument or authorities at this point; it seeks simply a statement of the issue to be addressed and or summary of the basis for the party's position on the issue.) Not less than twenty-four hours prior to the conference, any party opposing the application for relief may file a letter, not to exceed three pages, outlining that party's reasons for its opposition. Should the Court find further briefing necessary upon conclusion of the telephone conference, the Court will order it. Disputes over protective orders are to be addressed in the first instance in accordance with this paragraph.

4. Papers Filed Under Seal. When filing papers under seal, counsel should deliver to the Clerk an original and one copy of the papers.

5. Settlement Conference. Pursuant to 28 U.S.C. § 636, all proceedings in which the Liquidating Trust is seeking to avoid and recover transfers in the amount of \$50,000.00 or greater are referred to the United States Magistrate for the purpose of exploring the possibility of a settlement. The Magistrate Judge will schedule a settlement conference with counsel and their clients to be held within ninety days from the date of this Order.

6. Interim Status Report. On March 17, 2006, counsel for the Liquidating Trust shall file an interim report on the nature of the matters in issue and the progress of discovery to date.

7. Case Dispositive Motions. All case dispositive motions, an opening brief, and affidavits, if any, in support of the motion shall be served and filed on or before July 5, 2006. Briefing will be presented pursuant to the Court's Local Rules.

8. Applications by Motion. Except as otherwise specified herein, any application to the Court shall be by written motion filed with the Clerk. Unless otherwise requested by the Court, counsel shall not deliver copies of papers or correspondence to Chambers. Any non-dispositive motion should contain the statement required by Local Rule 7.1.1.

9. Status Conference. On \_\_\_\_\_, \_\_\_\_\_ the Court will hold a Rule 16(a), (b) and (c) conference with counsel beginning at \_\_\_\_\_.m. to discuss the status of the proceedings and to schedule the final pretrial conference, trial date, and other deadlines in the proceedings.

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The Honorable Kent A. Jordan  
United States District Court Judge